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Single Bench

BEFORE THE HON'BLE HIGH COURT OF CHHATTI AT BILASPUR

CONTEMPT ~~PETITION~~ in case NO. 14 /2007

APPLICANT

Romanlal Belchandan, S/o. Late Shri Durga Prasad Belchandan, aged about 59 years, R/o. village Kursipar, P.S. Arjunda, Working as Revenue Inspector – Revenue Circle – Village Anda, District Durg (Chhattisgarh)

P.R. No. 1291 dt. Presented by Shri Romanlal Belchandan dated 12.1.07

VERSUS

NON-APPLICANTS

1. Alok Shukla, Secretary, Deptt of Revenue, Dau Kalyan Singh Bhawan, Raipur (CG)
2. Vilium Kujur, Awar Sachiv, Deptt. Of Revenue, Dau Kalyan Singh Bhawan, Raipur (C.G.)
3. Subrat Sahu, Collector, Durg (CG)
4. T.R. Sahu, S/o. Ramji Sahu, aged about 54 years, resident of Durg, working as Revenue Inspector – R.I. Circle – Durg, Distt. Durg (CG)

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OATH COMMISSIONER APARNA MALVIYA CG-2073/96 9/01/07 Bilaspur Chhattisgarh

CONTEMPT PETITION UNDER SECTION 12 OF THE CONTEMPT OF COURTS ACT, 1971

AFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**Contempt Case No. 14 of 2007**

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**Single Bench:Hon'ble Shri Satish K. Agnihotri, J.**

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Applicant : Romanlal Belchandan

**Versus**

Non-applicants : Alok Shukla and others

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Present:

Mr. T.K. Tiwari, counsel for the applicant.

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ORDER

(Passed on 25th Day of January, 2007)

On 19-9-2005, this Court in Writ Petition No. 4467/2005 passed an order of granting interim relief to maintain status quo as obtains on that day, in respect of the petitioner. Thereafter, according to the learned counsel appearing for the petitioner, despite order dated 19-9-2005 some other order was passed on 31-8-2005, which according to the petitioner was contrary to the order dated 30-6-2006 (Annexure C-2), passed by this Court.

2. The Writ Petition No. 4467/2005 was finally dismissed vide order dated 30.10.2006 as having become infructuous in view of the subsequent transfer order. The interim order dated 19-9-2005 has merged with the final order dated 30-10-2006 passed in the main petition. Grant of an interim order to maintain status quo as obtains on that day survives during pendency of the writ petition only, not thereafter. If, contention of the petitioner that status quo order granted earlier be considered after disposal of the writ petition is accepted that may lead to devastating consequences leaving no way of undoing the mischief. Status quo order is not forever in a transfer case. If status quo order is maintained, even after disposal of the writ petition, the same would create hindrance in the administrative functioning of the

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employer to place a person at a particular place in the public interest and in administrative exigency. It is well settled that the logic underlying the doctrine of merger can not be more than one decree or operative order governing the same subject matter at a given point of time. The interim order which merges with the final order cannot be allowed to operate after disposal of the petition. The petitioner can not challenge the alleged violation of the interim order after disposal of the main petition.

3. In view of the above, no case for contempt is made out. Thus, the contempt petition is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash